

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ROSTSELMASH, LTD,

Plaintiff,

v.

Case No. 24-10915

AVON MACHINING, LLC,

Sean F. Cox

United States District Court Judge

Defendant.

_____ /

ORDER DENYING
MOTION FOR LEAVE TO FILE AMENDED COMPLAINT
IN CLOSED CIVIL ACTION

On April 9, 2024, Plaintiff Rostselmash, Ltd. filed this civil action against Defendant Avon Machining, LLC, asserting that this Court has diversity jurisdiction under 28 U.S.C. § 1332.

“[F]ederal courts have an independent obligation to investigate and police the boundaries of their own jurisdiction.” *Douglas v. E.F. Baldwin & Assocs., Inc.*, 150 F.3d 604, 607 (6th Cir. 1998). Because subject matter jurisdiction may be challenged at any time, even on appeal after the district court case has concluded, the Sixth Circuit has stressed that it expects parties to be “meticulous” as to jurisdictional allegations. *Prime Rate Premium Fin. Corp., Inc. v. Larson*, 930 F.3d 759, 765 (6th Cir. 2019).

After reviewing Plaintiff’s complaint, this Court questioned whether diversity jurisdiction exists and issued a Show Cause Order on April 17, 2024, explaining the defects and giving Plaintiff an opportunity to address them. (ECF No. 5).

Plaintiff responded to the April 17, 2024 Show Cause Order on April 24, 2024, but did

not sufficiently address the defects. As a result, on May 6, 2024, this Court issued an “Order Dismissing Action For Lack Of Subject Matter Jurisdiction.” (ECF No. 10). That Order *closed this civil action*.

Nevertheless, on June 5, 2024, Plaintiff filed a “Motion For A [sic] Leave To File Amended Complaint” in this closed civil action. (ECF No. 11).

The Court **ORDERS** that Plaintiff’s request for leave to file an amended complaint is **DENIED WITH PREJUDICE** because this Court’s May 6, 2024 Order closed this civil action. In addition, Plaintiff’s proposed First Amended Complaint still does not contain sufficient factual allegations to establish diversity jurisdiction in any event.

IT IS SO ORDERED.

s/Sean F. Cox

Sean F. Cox

United States District Judge

Dated: June 12, 2024

I hereby certify that a copy of the foregoing document was served upon counsel of record on June 12, 2024, by electronic and/or ordinary mail.

s/Jennifer McCoy

Case Manager